

MESSAGE NO: 9320012 MESSAGE DATE: 11/16/2009

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8262205
MESSAGE #
(s):

CASE #(s): C-570-913

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/17/2007 TO 12/31/2008

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR CERTAIN NEW PNEUMATIC OFF-THE-ROAD TIRES FROM CHINA (C-570-913); EXCEPT THE LISTED FIRMS. NO CVD 04/15/08 TO 09/04/08

MESSAGE NO: 9320012

DATE: 11 16 2009

CATEGORY: CVD

TYPE: LIQ

REFERENCE: 8262205

REFERENCE DATE: 09 18 2008

CASES: C - 570 - 913

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PERIOD COVERED: 12 17 2007 TO 12 31 2008

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR CERTAIN NEW
PNEUMATIC OFF-THE-ROAD TIRES FROM CHINA (C-570-913);
EXCEPT THE LISTED FIRMS. NO CVD 04/15/08 TO 09/04/08

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE
REVIEWS OF COUNTERVAILING DUTY ORDERS. INSTEAD, REVIEWS MUST
BE REQUESTED PURSUANT TO SECTION 751(a)(1) OF THE TARIFF ACT OF
1930 AND IN ACCORDANCE WITH SECTION 351.213 OF COMMERCE'S
REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE
REVIEW OF THE COUNTERVAILING DUTY ORDER FOR THE PERIOD AND ON

THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED.
THEREFORE, IN ACCORDANCE WITH SECTION 351.212 OF COMMERCE'S
REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES ON
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON
THE DATE OF ENTRY.

PRODUCT: CERTAIN NEW PNEUMATIC OFF-THE-ROAD TIRES

COUNTRY: THE PEOPLE'S REPUBLIC OF CHINA

CASE NUMBER: C-570-913

PERIOD: 12/17/2007 TO 12/31/2008

LIQUIDATE ALL ENTRIES FROM ALL FIRMS EXCEPT:

AEOLUS TYRE CO., LTD.

GUIZHOU TIRE CO., LTD. (C-570-913-001)

HANGZHOU ZHONGCE RUBBER CO., LTD.

HEBEI STARBRIGHT TIRE CO., LTD. (C-570-913-003)

JIANGSU FEICHI CO., LTD.

SHANDONG HUITONG TYRE CO., LTD.

TIANJIN UNITED TIRE RUBBER INTERNATIONAL CO., LTD.

(C-570-913-002)

TIANJIN WANDA TYRE GROUP

TRIANGLE TYRE CO., LTD.

SOME OR ALL ENTRIES FOR THE ENTITIES LISTED ABOVE MAY HAVE
ENTERED UNDER C-570-913-000.

3. SHIPMENTS OF THIS MERCHANDISE ENTERED OR WITHDRAWN FROM
WAREHOUSE ON OR AFTER 04/15/2008 AND ON OR BEFORE 09/04/2008
SHOULD BE LIQUIDATED WITHOUT REGARD TO COUNTERVAILING DUTIES.
SEE MESSAGE 8113204, DATED 04/22/2008, AND MESSAGE 8262205,
DATED 09/18/2008.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED
BY THIS INSTRUCTION.

5. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE COUNTERVAILING DUTY REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

6. NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 12/17/2007 TO 12/31/2008 OCCURRED WITH THE PUBLICATION OF THE INITIATION OF ADMINISTRATIVE REVIEW FOR THE 09/2009 ANNIVERSARY MONTH (74 FR 54956; 10/26/2009). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED COUNTERVAILING DUTIES FOR SUBSEQUENT ENTRIES OF SUBJECT MERCHANDISE AT THE CURRENT RATE.

7. THE ASSESSMENT OF COUNTERVAILING DUTIES OF THE U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.

SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE

ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984

OR (202) 482-3577 RESPECTIVELY (GENERATED BY O6:JA).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

FLORENCE V. CONSTANT

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party